

5K2.13 Diminished Capacity

Prior to 2000 I had not engaged in bribery schemes or for that matter any illegal activity. However in 2000 I was befriended by the VP of East-West Construction Company, Neal Patel. As fate would have it Neal is a sexual addict. Neal in turn sparked a part of me that became a raging addiction to sex. The entire bribery scheme between Neal and myself was driven by the insatiable desire for sex. We went locally to Massage Spas and used craigslist to set up sexual liaisons. The travel we planned around the world was to explore sex under a myriad of circumstances. From 2000 until 2008 we conspired to defraud the hospital so we could travel for sex. Our destinations were the world "hot spots" for sex, Amsterdam, Dubai, Singapore, Bangkok, Toronto and Tokyo. In the USA we had sex in Miami, Los Angeles, Houston. We were totally out of control in our drive for sex. I had an affair for 2 years with Neal's wife, Ekta. The FBI discovered emails between Ekta and myself that ended up in the Cleveland Plain Dealer. There is no question my mental state was compromised by this addiction. If it were not for the sex addiction I would have not engaged the illegal activity. In April - May of 2010 I sought treatment for the sexual addiction with a psychologist in Cleveland. The treatment was interrupted when we moved to Lawrence, PA. Neal Patel had shared with the Federal Prosecutors that we engaged in sexual activities all over the world and the country. All the travel and sex was paid for by the bribery conspiracy. My attorney asked the prosecutors to let it rest for fear of embarrassing me. Roger Synenberg missed the entire defense of Diminished Capacity. If I were not a sex addict, I would not have been tempted to engage the conspiracy.

Aberrant Behavior USSG,Ch. 1, Pt.A(4)(d)

The Prosecutors with the IRS and the FBI spent considerable effort trying to find hidden bank accounts or over seas accounts where I would have stashed money from the East West Construction Company. The Prosecutors raided my house looking for cash. There were no hidden accounts or cash found in the house. I believe the Prosecutors had a hard time coming to terms with the fact that there was never an exchange of cash. If you understand the bribery conspiracy was driven by a sexual addiction and not avarice then you would understand there was no need for cash. Roger Synenberg should have made the argument for a sentence reduction based on the guidelines of Aberrant Behavior.